



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

| | | | |
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| | | PUBLIC GUARDIAN , was appointed Successor Conservator of the Estate on 12/13/1996. | NEEDS/PROBLEMS/COMMENTS: |
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| | | Letters issued on 12/20/1996. | 1. Need Fifteenth Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties. |
| Cont. from | | Fourteenth Account was settled on 07/03/2014. | |
| Aff.Sub.Wit. | | Minute Order of 07/03/2014 set this Status Hearing for the filing of the next account. | |
| Verified | | | |
| Inventory | | | |
| PTC | | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
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| Sp.Ntc. | | | |
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| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
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| Status Rpt | | | |
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| Citation | | | |
| FTB Notice | | | |

Attorney
Pro per

Kruthers, Heather H. (for Public Administrator – Administrator with Will Annexed)
McDonald, Jackie (former Executor)

Probate Status Hearing RE: Filing of the Final Account and Issuance of Letters of the

Public Administrator

| | | | |
|-------------------------------------|----------------------|--|---|
| DOD: 08/19/06 | | <p>JACKIE MCDONALD, sister-in-law, was appointed Executor on 10/10/06 and Letters Testamentary were issued to her on 10/23/06.</p> <p>On 01/22/15, JACKIE MCDONALD, was removed as Executor and the Public Administrator was appointed as Administrator with Will Annexed.</p> <p>First Account of former Executor was approved on 09/14/15. Minute Order from 09/14/15 set this status hearing re: Filing of the Final Account and Issuance of Letters to the Public Administrator.</p> <p>Letters of Administration were issued to the Public Administrator on 09/21/15.</p> <p>Status Report Regarding Filing Final Account filed 03/14/2016 states the estate is not in a condition to be closed. The real property located at 2001 Winter Street, Kingsburg, California is listed for sale. There was a Notice of Proposed Action for the sale of the home filed 03/06/2015, but the sale fell through because the buyers could not obtain financing. There have only been a couple of showings, and there are no interested buyers to date. The son, who is currently staying there and paying the mortgage, cannot qualify for a loan to purchase the house himself. The Public Administrator must sell this property in order to close the estate. It is respectfully requested that the next hearing be set no sooner than 90 days from the date of this hearing in order to get the property sold and the final account prepared.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 12/14/2015: Counsel requests four months to see if Steve Wright is able to obtain a loan to purchase the property.</p> <p>1. Need Final Account.</p> |
| Cont. from 121415 | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input type="checkbox"/> | Notice of Hrg | | |
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| <input type="checkbox"/> | Pers.Serv. | | |
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| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | <p>Reviewed by: JF / LV</p> <p>Reviewed on: 03/28/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Wright</p> | |

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|----------------------|--|---|---|
| | | BARBARA CASTRO and JESSICA BURNETT, Daughters, are Co-Conservators of the Person. BARBARA CASTRO is sole Conservator of the Estate. Letters issued on 1/19/07 Bond in the amount of \$156,000.00 filed 12/30/2014. Order Settling Third Account was filed 09/15/2014. Minute Order of 12/01/2014 set this status hearing for the filing of the Fourth Account. | NEEDS/PROBLEMS/COMMENTS: Note: Status Hearing Re: Removal of Co-Conservators was continued to 04/07/2016. 1. Need Fourth Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties. |
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| Cont. from | | | |
| Aff.Sub.Wit. | | | |
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| Video Receipt | | | |
| CI Report | | | |
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| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | | Reviewed by: LV Reviewed on: 03/29/2016 Updates: Recommendation: File 3- Castro |

Report of Sale and Petition for Order Confirming Sale of Real Property

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|-------------------------------------|----------------------|--|---|
| | | PUBLIC GUARDIAN is | NEEDS/PROBLEMS/COMMENTS: |
| | | Conservator/petitioner. | |
| | | Sale price - \$130,000.00 | <p>1. Reappraisal for Sale filed 6/25/15 listed the value of the real property at \$175,000.00. Reappraisal for Sale filed on 3/3/16 lists the value of the real property at \$140,000.00. The \$130,000 sales price is not within 90% of the appraised value of the Reappraisal for Sale filed on 6/25/15 as required by the Probate Code. The \$130,000 sales price is within the Reappraisal for Sale of \$140,000 filed on 3/3/16. The order states at #6 states 90% of the appraised value cannot be obtained on this property. With the Reappraisal for Sale filed on 3/3/16 the sale is within 90% of the appraised value. Therefore, need new order.</p> <p>2. Probate Code 2543(d) and 10250 requires the Notice of Sale to be posted by the Probate Clerk at least 15 days prior to the hearing. The Notice was inadvertently not posted.</p> |
| | | Overbid - 137,000.00 | |
| Cont. from | | Reappraisal - \$140,000.00 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Property - 47409 | |
| <input checked="" type="checkbox"/> | Verified | Thunderhill Lane, Squaw Valley, CA | |
| <input type="checkbox"/> | Inventory | Publication - Business | |
| <input type="checkbox"/> | PTC | Journal | |
| <input type="checkbox"/> | Not.Cred. | Buyers - Mark Freeman, as | |
| <input checked="" type="checkbox"/> | Notice of Hrg | a single man as his sole and separate | |
| <input checked="" type="checkbox"/> | Aff.Mail | property. | |
| <input checked="" type="checkbox"/> | Aff.Pub. | Broker - \$6,500.00 (5% | |
| <input type="checkbox"/> | Sp.Ntc. | - payable 50% to Jeff Starbuck of | |
| <input type="checkbox"/> | Pers.Serv. | Guarantee Realty and 50% to Brenda | |
| <input type="checkbox"/> | Conf. Screen | McReynolds of Century 21- Watson | |
| <input type="checkbox"/> | Letters | Realty. | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | X | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 3/28/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 5- Sager |

Third and Final Account and Report of Guardian, Petition for Settlement of Account, for Attorneys Fees and for Termination of Guardianship

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|-------------------------------------|---------------|---|--|---|
| | | <p>GRACE RUIZ, Mother and Guardian of the Estate, is Petitioner.</p> <p>Account period: 3/11/15 to 2/22/16</p> <p>Accounting: \$169,461.27</p> <p>Beginning POH: \$167,775.79</p> <p>Ending POH: \$168,499.27</p> <p>(held in blocked account)</p> <p>Guardian waives compensation</p> <p>Attorney: \$500.00 (2.5 hours @ \$200/hr)</p> <p>Petitioner prays for an order as follows:</p> <ol style="list-style-type: none"> Settling and allowing the account and report and approving and confirming the acts of Petitioner as guardian; Fixing and allowing the sum of \$500.00 as compensation to Paulette Janian for legal services rendered to the guardian and estate during the period of this account; For termination of the guardianship and authorization to turn over all guardianship assets to ROXANNE RUIZ; and Granting such other and further relief as the Court deems proper. | <p>NEEDS/PROBLEMS/COMMENTS:</p> | |
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| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> | Verified | | | |
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| <input checked="" type="checkbox"/> | Notice of Hrg | | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | | W |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
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| <input type="checkbox"/> | Conf. Screen | | | |
| <input type="checkbox"/> | Letters | | | |
| <input type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input checked="" type="checkbox"/> | 2620(c) | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| | | <p>Reviewed by: skc</p> <p>Reviewed on: 3/28/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6- Ruiz</p> | | |

Attorney Lawson K. Renge (for Petitioner Betty A. Pate, Executor)

Amended First and Final Account and Report of Administration and Petition for Final Settlement and Distribution; Accounting Waived

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|-------------------------------------|-----------------------|--|--|
| DOD: 4/4/2013 | | BETTY A. PATE , daughter and Executor, is Petitioner. Accounting is waived. I & A — \$644,428.38 POH — \$493,100.79 (\$83,672.41 is cash) Executor — \$14,968.57 (statutory) Attorney — \$14,968.57 (statutory) Distribution pursuant to Decedent's Will is to: JIMMY E. SELZER – \$26,867.[64] cash, an undivided ½ interest in Installment Note, and an undivided ½ interest in truck. BETTY A. PATE – \$26,867.[64] cash, an undivided ½ interest in Installment Note, and an undivided ½ interest in truck. | NEEDS/PROBLEMS/COMMENTS: Note: Proposed order has been interlineated to correct the statutory fee and distribution amounts. |
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| Cont. from 102215 | | | |
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| <input type="checkbox"/> | Citation | | |
| <input checked="" type="checkbox"/> | FTB Notice | | |
| | | Reviewed by: LEG | |
| | | Reviewed on: 3/29/16 | |
| | | Updates: | |
| | | Recommendation: SUBMITTED | |
| | | File 8 – Guidi | |

9 Margaret Connie Magallanes (Estate) Case No. 14CEPR00578

Attorney: Anthony G. Celaya (for Petitioner Felix C. Magallanes)

Attorney: Jeffrey B. Pape (for Margie Martinez and Monica Magallanes)

Probate Status Hearing RE: Filing of an Amended Petition

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|-----------------------------|--|--|------------------------|-----------------------------|-----------------|------------------------|---------------------------|
| DOD: 11/5/13 | FELIX C. MAGALLANES , Administrator, filed a Complete Restatement of First and Final Account, Report of Administrator, Petition for Statutory Fees and for Distribution of Intestate Estate that was set for hearing on 2/29/16. | NEEDS/PROBLEMS/COMMENTS: 1. Need amended petition or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report, shall be served on all necessary parties. | | | | | |
| Cont. from | Examiner notes pointed out several issues that needed to be address by the filing of an amended petition. Among the issues raised was that the attorney received attorney fees totaling \$25,585.43 without first obtaining a court order. | | | | | | |
| Aff.Sub.Wit. | <p>Minute Order dated 2/29/16 states Mr. Celaya requests a 30 day continuance to file an amended petition. Mr. Celaya represents that the fees paid to him were paid prior to this case being filed. The Court orders that the paid fees be returned to the estate by 4/4/16, and that Mr. Celaya file verified proof. Furthermore, the Court orders that Mr. Celaya to not accept any additional fees without a court order, and that the Administrator is not to pay any additional fees without a Court order.</p> | <table border="1"> <tr><td>Reviewed by: KT</td></tr> <tr><td>Reviewed on: 3/28/16</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 9- Magallanes</td></tr> </table> | Reviewed by: KT | Reviewed on: 3/28/16 | Updates: | Recommendation: | File 9- Magallanes |
| Reviewed by: KT | | | | | | | |
| Reviewed on: 3/28/16 | | | | | | | |
| Updates: | | | | | | | |
| Recommendation: | | | | | | | |
| File 9- Magallanes | | | | | | | |
| Verified | | | | | | | |
| Inventory | | | | | | | |
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| FTB Notice | | | | | | | |

Petitioner Aida Barrios (Pro Per – Mother)

Petition for Termination of Guardianship

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| | PUBLIC GUARDIAN , was appointed Conservator of the person and estate on 12/09/2014. | NEEDS/PROBLEMS/COMMENTS: 1. Need First Account. |
| | Letters issued on 12/10/2014. | |
| Cont. from | | |
| Aff.Sub.Wit. | Inventory & Appraisal No. 1 filed 02/02/2015 shows an estate valued at \$85,000.00. | |
| Verified | | |
| Inventory | Inventory & Appraisal Reappraisal for Sale filed 04/03/2015 shows estate valued at \$80,000.00. | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | Inventory & Appraisal Final filed 04/30/2015 shows an estate valued at \$391,377.07. | |
| Aff.Mail | | |
| Aff.Pub. | Minute Order of 12/09/2014 set this Status Hearing re: the filing of the First Account. | |
| Sp.Ntc. | | |
| Pers.Serv. | Status Report Regarding Filing of the First Account filed 03/07/2016 states the Public Guardian is short staffed. One of the support staff suddenly retired for medical reasons. Although the Public Guardian has recently hired a replacement, she will not start work until March 14, 2016. She will need to be trained and will not be able to work independently until she is trained. The person who prepares the necessary documents for the accounts is currently covering both her duties and the duties of the other staff member who retired. She is the only one training the new replacement. Therefore, she will be unable to get all the accounts done that need to be done before the scheduled status hearings. Furthermore, there have been a large number of accounts set for status hearings, which makes it even harder for her to get to all of them. In addition, where applicable, her services are needed to correct errors and discrepancies found by the Probate Examiners in the accounts that are being heard. Therefore, it is respectfully requested that the next status hearing for this matter be set no sooner than 90 days from the date of this status hearing. | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
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| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | Reviewed by: LV |
| Status Rpt | | Reviewed on: 03/29/2016 |
| UCCJEA | | Updates: |
| Citation | | Recommendation: |
| FTB Notice | | File 11- Brown |

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|-----------------|--|---|
| DOD: 07/19/2014 | | NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> <u>First and Final Account filed</u> <u>03/21/2016. Hearing is set for</u> <u>05/11/2016.</u> |
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| Cont. from | | |
| Aff.Sub.Wit. | | |
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| Inventory | | |
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| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
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| | | Reviewed by: LV |
| | | Reviewed on: 03/29/2016 |
| | | Updates: |
| | | Recommendation: |
| | | File 12- Tange |

Attorney Charles M. Palmer (for Petitioner Houa Yang)

Conservator's Petition for Orders Authorizing Payment of Compensation for Attorney's Fees to Date

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|-------------------|---------------|----|--|---|
| | | | DR. HOUA YANG , spouse and Conservator of the Person and Estate appointed on 10/8/2015 with bond fixed at \$22,818.40 and deposits into blocked account, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: Page 13B is the <i>Ex Parte Petition for Withdrawal of Funds from Blocked Account</i> . Continued from 2/29/2016. Minute Order states counsel represents that he has the verification with him today; he is to file a verified declaration by 3/21/2016 with regard to his explanation for item number two of the examiner's notes. Note: Declaration Re Conservatorship of the Person and Estate filed 3/15/2016 includes an attached explanation of the Conservatorship Estate, and an attached <i>Corrected Final Inventory and Appraisal</i> , showing that the estate consists of \$13,602.78 cash and \$15,500.00 of personal property (jewelry and clothes). 1. Proposed Order for Withdrawal of Funds from Blocked Account lists in Item 4 (a) HOUA YANG as payee of \$3,000.00 , and in Item 4(b) CHARLES M. PALMER as payee of \$1,944.50 . Need clarification regarding the inconsistency of the proposed order compared with the request in the Petition for payment to Attorney Palmer of \$3,830.00 for fees. |
| Cont. from 022916 | | | | |
| | Aff.Sub.Wit. | | Petitioner requests an order authorizing payment of compensation for the fees of his attorney for services to date in this matter, pursuant to Probate Code § 2640 and 2623, CA Rule of Court 7.702, and Local Rule 7.16, based upon the following: <ul style="list-style-type: none"> Petitioner seeks compensation for attorney's fees charged for services in representing Petitioner to establish the conservatorship and to thereafter act as Conservator, in the amount of \$3,830.00, for 19.15 hours @ \$200.00/hour; These fees are just and reasonable because they represent only those services necessary to establish the conservatorship and to continue assisting the Conservator to execute his duties, and nothing more; This Petition complies with Probate Code § 2640 [subsections enumerated with statements of applicability of the instant petition]; As per Local Rule 7.16(A), this Petition complies with CA Rule of Court 7.750 through 7.752; per Rule of Court 7.750, this Petition seeks compensation payable from the estate of the Conservatee, specifically monies received by the Conservatee under an Accelerated Benefits Rider Claim from the Conservatee's insurance company, which are deposited into a blocked account; <p align="center">~Please see additional page~</p> | |
| ✓ | Verified | | | |
| ✓ | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
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| ✓ | Order | | | |
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| | FTB Notice | | | |
| | | | Reviewed by: LEG Reviewed on: 3/28/16 Updates: Recommendation: File 13A- Lor | |

Petitioner states, continued:

- Per Rule 7.751 (a), this Petition requests compensation for services rendered before an order appointing Conservator; most of the attorney's services were rendered before such an order as they were for the purpose of establishing the conservatorship;
- Per Rule 7.752, it is in the Court's discretion whether or not to order the Conservator to file an accounting before or at the time the petition is filed or heard; this requirement should be waived for two reasons: (1) a mere 90 days has passed since Letters were issued, and thus there has been no financial activity to warrant such an accounting; (2) the bulk of monies received into the Conservatee's estate, namely benefits of **\$13,223.12**, has been placed into a blocked account where it remains untouched as of this date;
- No order for withdrawal has been issued to date, therefore, an accounting is not necessary at this point and Petitioner requests it be waived;
- Attorney services performed were interview parties involved (Conservatee, Conservator, family members and others); review records, documents and information provided by clients and family; draft and file various forms to petition for conservatorship; serve various parties notice; attend the hearing; contact various financial institutions, medical personnel, and others; open blocked account; prepare inventory and appraisal; the difficulty of these tasks was on par with typical attorney tasks.

Petitioner requests a Court order authorizing payment of compensation for attorney's fees to date in this matter in the amount of \$3,830.00.

Attorney Charles M. Palmer (for Petitioner Houa Yang)

Ex Parte Petition for Withdrawal of Funds from Blocked Account

| | | | |
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| | | Dr. HOUA YANG , spouse and Conservator of the Person and Estate appointed on 10/8/2015, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: Note Re Future Hearing: Probate Status Hearing is set in this matter for the filing of the First Account of the Conservatorship Estate on 12/12/2016 at 9:00 a.m. in Dept. 303. Note Re Assets: <i>Corrected Final Inventory and Appraisal</i> filed 3/15/2016 shows an estate value of \$29,102.78 of which \$13,602.78 is cash. If Court grants the Petitioner the authority to make the requested purchases, the property on hand must reflect the acquisitions as Conservatorship Estate assets at the time of the accounting. 1. Need proof of service of <i>Notice of Hearing</i> with a copy of the <i>Petition</i> served to all interested parties pursuant to the <i>Order on Ex Parte Petition for Withdrawal of Funds from Blocked Account</i> filed 3/16/2016. |
| | | | |
| Cont. from | | Petitioner requests withdrawals totaling \$7,260.00 from the blocked account, representing the following sums for the following purposes: | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | <ul style="list-style-type: none"> • \$6,060.00 for purchase of a wheelchair (motorized cart), and a bed to payee RAY FISHER PHARMACY; <ul style="list-style-type: none"> ○ Printout of the cart specifications and price attached showing a price range of \$1,500.00; ○ Printout of the bed specifications, optional supplies, and price range attached showing a range of \$3,700.00 to \$4,100.00; • \$1,200.00 for reimbursement to GARY YANG for payment of February rent on 2/1/2016; copy of receipt showing payment for rent for an address on E. Hedges Ave. | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | | X |
| | Aff.Mail | | X |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: LEG |
| | | | Reviewed on: 3/28/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 13B- Lor |

Petition for Appointment of Probate Conservator of the Person and Estate

| | | | |
|---------------------------|---------------|---|--|
| See petition for details. | | | NEEDS/PROBLEMS/COMMENTS: <u>Court Investigator to advise rights.</u> <u>SEE ADDITIONAL PAGES</u> |
| | | | |
| | | | |
| | | | |
| Cont. from 012816 | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | X | |
| | Aff.Mail | X | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| ✓ | Pers.Serv. | W | |
| | Conf. Screen | | |
| | Letters | X | |
| ✓ | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | X | |
| | 9202 | | |
| | Order | X | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| ✓ | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: skc Reviewed on: 3/28/16 Updates: Recommendation: File 15- Owens |

Page 2 - NEEDS/PROBLEMS/COMMENTS:

1. Petitioner states he is the uncle of the proposed Conservatee (maternal/paternal not specified). Need clarification regarding Petitioner's priority to nominate a conservator pursuant to Probate Code §1810, et seq. Specifically, §1811 provides for nomination by a spouse, parent, adult child, or sibling.
2. The Professional Fiduciary Attachment filed 2/9/16 is blank at #2C. Need clarification as to whether there was any prior relationship with the proposed Conservatee or his family before engagement in this matter.
3. Petition is incomplete at #11 – need complete list of all relatives within the second degree, with relationships and addresses. If deceased, need dates of death per Local Rule 7.1.1.D.
4. Need Notice of Hearing and proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1822 on all relatives listed at #11 of the petition, including:
 - Betty Robinson (relationship not stated)
 - Johnny Robinson (grandfather)
 - Elaina Woods (mother)
 - William Tyrone Williams, Sr. (father)
 - Elaina Owens (sister)
 - William Tyrone Williams, Jr. (brother)
 - Kenny Howard (brother)
 - Keisha Woods (sister)
5. The Court may also require service of Notice of Hearing on the attorney representing the proposed Conservatee in the civil matter.
6. Need video receipt from Ms. Hill per Local Rule 7.15.8.A.
7. Pursuant to Probate Code §2320(c) and Cal. Rule of Court 7.207, the Court will required bond including cost of recovery. Need estimated value of estate. Alternatively, the Court may require funds to be held in a blocked account pursuant to Local Rule 7.8.
8. Petitioner does not request medical consent power under Probate Code §2355 at #1g of the petition; however, Petitioner indicates at #9 that a Capacity Declaration regarding capacity to give informed consent to medical treatment will be filed. Need clarification: Is Petitioner requesting medical consent powers? If so, need Capacity Declaration.
9. Need order, Letters. Local Rule 7.1.1.F.

Note: If granted, the Court will set status reports as follows:

- Monday, May 23, 2016 for the filing of bond or receipt for blocked account, if appropriate
- Monday, August 1, 2016 for the filing of the Inventory and Appraisal
- Monday, June 5, 2017 for the filing of the first account

Petitioner: Ray Ramos, JR. (pro per)

Objector: Manuel Valdez Sandoval (pro per)

Objector: Monty Villegas (pro per)

Petition for Appointment of Guardian of the Person

| | | <u>TEMPORARY EXPIRES 4/4/16</u> | NEEDS/PROBLEMS/COMMENTS: |
|-------------------------------------|----------------------|---|---|
| | | RAY ANTHONY RAMOS , step-father, is petitioner. | 1. Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on: <ul style="list-style-type: none"> a. Jasmine's paternal grandfather (unknown) – unless the court dispenses with notice. b. Jasmine's paternal grandmother – Maria Dollres 2. Objections of Manuel Valdez Sandoval do not include a proof of service. |
| | | Please see petition for details. | |
| Cont. from 022216 | | Objections to Guardianship filed by Manuel Valdez Sandoval [Jasmine's father] filed on 12/31/15. | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | Objections to Guardianship filed by Monty Villegas [Vincent's father] filed on 1/5/16. | |
| <input checked="" type="checkbox"/> | Aff.Mail | Evidence and Proof filed by Monty Villegas on 2/22/16. | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input checked="" type="checkbox"/> | Pers.Serv. | Court Investigator Julie Negrete's Report filed on 2/11/16. | |
| <input checked="" type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| <input checked="" type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input checked="" type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input checked="" type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 3/28/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 16- Sandoval & Rodriguez |

Petition for Appointment of Guardian of the Person

| | | | |
|---------------------------|--|--|---|
| See petition for details. | | | NEEDS/PROBLEMS/COMMENTS: |
| | | | <u>Amended Minute Order 2/10/16 (Temp)</u> states: Written objections are to be filed and properly served no later than 2/17/16. The Court orders supervised visitation for Joe Pineda. See minute order for details. |
| | | | <u>Note:</u> As of 3/29/16, no objections have been filed. |
| | | | 1. It appears the notice to the paternal grandparents was served with an incorrect hearing date of 3/4/16. The Court may require further notice to: |
| | | | - Joseph Pineda, Jr. (paternal grandfather) |
| | | | - Priscilla Arambula (paternal grandmother) |
| | | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 3/28/16 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 17- Pineda |

| | | |
|---|---------------|---|
| | Aff.Sub.Wit. | |
| ✓ | Verified | |
| | Inventory | |
| | PTC | |
| | Not.Cred. | |
| ✓ | Notice of Hrg | |
| ✓ | Aff.Mail | W |
| | Aff.Pub. | |
| | Sp.Ntc. | |
| ✓ | Pers.Serv. | W |
| ✓ | Conf. Screen | |
| ✓ | Letters | |
| ✓ | Duties/Supp | |
| | Objections | |
| | Video Receipt | |
| ✓ | CI Report | |
| ✓ | 9202 | |
| ✓ | Order | |
| | Aff. Posting | |
| | Status Rpt | |
| ✓ | UCCJEA | |
| | Citation | |
| | FTB Notice | |

18 Keimya Boyd, Danielle Boyd, Marquise Boyd, Devin Boyd (GUARD/P)
Case No. 16CEPR00101

Petitioner Fairly, Rasheena M (Pro Per – Sister)

Petition for Appointment of Guardian of the Person

| | | | |
|--|--|--|-----|
| Keimya, 14 | <p><u>TEMPORARY EXPIRES 04/04/2016</u></p> <p>RASHEENA FAIRLY, sister, is Petitioner.</p> <p><u>Please see petition for details</u></p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> | |
| Danielle, 8 | | | |
| Devin, 7 | | | |
| Marquis, 6 | | | |
| Cont. from | | | |
| <input type="checkbox"/> Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> Verified | | | |
| <input type="checkbox"/> Inventory | | | |
| <input type="checkbox"/> PTC | | | |
| <input type="checkbox"/> Not.Cred. | | | |
| <input type="checkbox"/> Notice of Hrg | | | n/a |
| <input type="checkbox"/> Aff.Mail | | | n/a |
| <input type="checkbox"/> Aff.Pub. | | | |
| <input type="checkbox"/> Sp.Ntc. | | | |
| <input type="checkbox"/> Pers.Serv. | | | n/a |
| <input checked="" type="checkbox"/> Conf. Screen | | | |
| <input checked="" type="checkbox"/> Letters | | | |
| <input checked="" type="checkbox"/> Duties/Supp | | | |
| <input type="checkbox"/> Objections | | | |
| <input type="checkbox"/> Video Receipt | | | |
| <input checked="" type="checkbox"/> CI Report | | | |
| <input type="checkbox"/> 9202 | | | |
| <input checked="" type="checkbox"/> Order | | | |
| <input type="checkbox"/> Aff. Posting | | | |
| <input type="checkbox"/> Status Rpt | | | |
| <input checked="" type="checkbox"/> UCCJEA | | | |
| <input type="checkbox"/> Citation | | | |
| <input type="checkbox"/> FTB Notice | | | |
| <p>Reviewed by: LV</p> <p>Reviewed on: 03/29/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18- Boyd</p> | | | |

Petition for Appointment of Guardian of the Estate

| | | | |
|-------------------------------------|---------------|---------------------------|--|
| | | See petition for details. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. This is a petition for guardianship of the estate under Probate Code §1510 based on the minor's anticipated receipt of funds as beneficiary of an insurance policy.</p> <p>There is no provision or authority for creation of an irrevocable trust as described by Petitioner under this circumstance. Upon establishment of a guardianship of the estate, the funds must be managed in accordance with the Probate Code and other applicable law.</p> <p><u>SEE ADDITIONAL PAGES</u></p> |
| | | | |
| | | | |
| | | | |
| | | | |
| Cont. from | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> | Verified | | |
| <input type="checkbox"/> | Inventory | | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| <input checked="" type="checkbox"/> | Conf. Screen | | |
| <input checked="" type="checkbox"/> | Letters | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| <input checked="" type="checkbox"/> | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | Reviewed by: skc | |
| | | Reviewed on: 3/29/16 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 21- Walker | |

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

2. Pursuant to Local Rule 7.8.1, it is the policy of the Court to block all funds in guardianship estates, with funds to be held in federally insured depositories.

If Petitioner wishes to make investments as described in Probate Code §2574, the Court will require bond in the amount of \$422,400.00. See Probate Code §2320(c) and Cal. Rule of Court 7.207.

If Petitioner wishes to make investments other than as described in §2574, further information is necessary and/or petition may be required under Probate Code §2570.

3. Need further information regarding the request for child support pursuant to Probate Code §2422, including the amount Petitioner is requesting from this minor, the period of time support is requested for, and any other relevant information, such as Petitioner's income/financial situation and other sources of support for this minor.
4. Petitioner indicates that the civil lawsuit regarding the decedent's death is unlikely to result in substantial recovery; however, the Court may require further information regarding this action.
5. The Court may require further information regarding the minor's father's estate and whether any additional funds are assets, other than what is described herein, may become available via probate estate or other distribution.
6. The request for attorneys' fees and costs is premature. Pursuant to Probate Code §2640, a petition for compensation may be filed at any time after the filing of the Inventory and Appraisal, but not before the expiration of 90 days from issuance of Letters. Further, the petition must specify the amount requested and provide itemization and other information pursuant to Cal. Rules of Court 7.751, 7.702. See also Cal. Rule of Court 7.752, which provides that notwithstanding earlier petition, the Court may order accounting prior to allowance of compensation, and Local Rule 7.16, which provides that attorneys' fees and costs are typically considered at first account.

Note: Although no amount is specified in the petition and no itemization is provided, the proposed order indicates \$1,800.00 at #10.

7. If blocked account is required, need Order to Deposit Money Into Blocked Account (MC-355) and the Court will set a status hearing for the filing of the Receipt (MC-356).

Note: If guardianship of the estate is granted, the Court will set status hearings as follows:

- Monday, May 16, 2016 for the filing of the receipt for blocked account and/or bond.
- Monday, August 1, 2016 for filing the Inventory and Appraisal. See Probate Code §2610.
- Monday, June 5, 2017 for filing the first account. See Probate Code §2620.

If the proper items are on file, status hearings may come off calendar. See Local Rule 7.5.

Petition for Appointment of Guardian of the Estate

| | | | | |
|------------|---------------|---|---------------------------|---|
| | | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: 8. This is a petition for guardianship of the estate under Probate Code §1510 based on the minor's anticipated receipt of funds as beneficiary of an insurance policy. There is no provision or authority for creation of an irrevocable trust as described by Petitioner under this circumstance. Upon establishment of a guardianship of the estate, the funds must be managed in accordance with the Probate Code and other applicable law. <u>SEE ADDITIONAL PAGES</u> |
| | | | | |
| | | | | |
| | | | | |
| Cont. from | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| ✓ | Notice of Hrg | | | |
| ✓ | Aff.Mail | W | | |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | |
| ✓ | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| | CI Report | | | |
| | 9202 | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| ✓ | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | Reviewed by: skc | |
| | | | Reviewed on: 3/29/16 | |
| | | | Updates: | |
| | | | Recommendation: | |
| | | | File 22- Abarca | |

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

9. Pursuant to Local Rule 7.8.1, it is the policy of the Court to block all funds in guardianship estates, with funds to be held in federally insured depositories.

If Petitioner wishes to make investments as described in Probate Code §2574, the Court will require bond in the amount of \$422,400.00. See Probate Code §2320(c) and Cal. Rule of Court 7.207.

If Petitioner wishes to make investments other than as described in §2574, further information is necessary and/or petition may be required under Probate Code §2570.

10. Petitioner requests support from this minor's estate; however, the decedent is not this minor's father. Her father, Octavio Abarca, and mother, Petitioner, both living, are responsible for her support. Need further information and authority regarding the request for child support pursuant to Probate Code §2422, including the amount Petitioner is requesting from this minor, the period of time support is requested for, and any other relevant information, such as Petitioner's income/financial situation and other sources of support for this minor, including support from Mr. Abarca.
11. Petitioner indicates that the civil lawsuit regarding the decedent's death is unlikely to result in substantial recovery; however, the Court may require further information regarding this action.
12. The request for attorneys' fees and costs is premature. Pursuant to Probate Code §2640, a petition for compensation may be filed at any time after the filing of the Inventory and Appraisal, but not before the expiration of 90 days from issuance of Letters. Further, the petition must specify the amount requested and provide itemization and other information pursuant to Cal. Rules of Court 7.751, 7.702. See also Cal. Rule of Court 7.752, which provides that notwithstanding earlier petition, the Court may order accounting prior to allowance of compensation, and Local Rule 7.16, which provides that attorneys' fees and costs are typically considered at first account.
- Note: Although no amount is specified in the petition and no itemization is provided, the proposed order indicates \$1,800.00 at #10.
13. If blocked account is required, need Order to Deposit Money Into Blocked Account (MC-355) and the Court will set a status hearing for the filing of the Receipt (MC-356).

Note: If guardianship of the estate is granted, the Court will set status hearings as follows:

- Monday, May 16, 2016 for the filing of the receipt for blocked account and/or bond.
- Monday, August 1, 2016 for filing the Inventory and Appraisal. See Probate Code §2610.
- Monday, June 5, 2017 for filing the first account. See Probate Code §2620.

If the proper items are on file, status hearings may come off calendar. See Local Rule 7.5.

Petition for Appointment of Guardian of the Person

| | | | | |
|-------------------------|---------------|---------------------------|---|---|
| | | See petition for details. | NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 3/21/16:</u> Examiner notes provided in open court. Rachel Saenz, mother, represents that her mother's name is also Rachel Saenz, and clarifies that her sobriety date for meth is 12/25/15. The Court orders Rachel Saenz, mother, to report to Avertest before noon today for a urine drug test; cost of said test to be paid for by Rachel Saenz, mother. Rachel Saenz is to bring the test results to court on 4/4/16 if she is going to be present, or file them by mail if she will be appearing by CourtCall. The Court orders supervised visitation for Rachel Saenz, mother, today as mutually agreed by the parties. As of 3/28/16, nothing further has been filed. The following issues remain noted: 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Israel Aguilar (Father) - Rachael Saenz (Mother) 3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandparents - Maternal Grandmother | |
| | | | | |
| | | | | |
| | | | | |
| Cont. from 032116 | | | | |
| | Aff.Sub.Wit. | | | |
| ✓ | Verified | | | |
| | Inventory | | | |
| | PTC | | | |
| | Not.Cred. | | | |
| | Notice of Hrg | | | X |
| | Aff.Mail | | | X |
| | Aff.Pub. | | | |
| | Sp.Ntc. | | | |
| | Pers.Serv. | | | X |
| ✓ | Conf. Screen | | | |
| ✓ | Letters | | | |
| ✓ | Duties/Supp | | | |
| | Objections | | | |
| | Video Receipt | | | |
| ✓ | CI Report | | | |
| ✓ | Clearances | | | |
| ✓ | Order | | | |
| | Aff. Posting | | | |
| | Status Rpt | | | |
| ✓ | UCCJEA | | | |
| | Citation | | | |
| | FTB Notice | | | |
| | | | | |
| Reviewed by: skc | | | | |
| Reviewed on: 3/28/16 | | | | |
| Updates: | | | | |
| Recommendation: | | | | |
| File 23- Aguilar/ Saenz | | | | |

Petitioner Torres, Jessica (Pro Per – Aunt)

Petitioner Lopez, Ignacio (Pro Per – Uncle)

Petition for Appointment of Temporary Guardian of the Person

| | | | | |
|-------------------------------------|----------------------|--|---|-----|
| Mady Age: 7 | | <u>GENERAL HEARING 05/24/2016</u> JESSICA TORRES , aunt, and IGNACIO LOPEZ , uncle, are petitioners. Please see petition for details | NEEDS/PROBLEMS/COMMENTS: Note: Petition pertains only to Mady Martinez. Maternal Aunts, Victoria Gonzales and Veronica Valdez, were appointed guardians of Manuel Torres on 08/26/2015. 1. Need Notice of Hearing. 2. Need proof of personal service five(5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Christina Torres (Mother) | |
| | | | | |
| | | | | |
| Cont. from | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | |
| <input checked="" type="checkbox"/> | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input type="checkbox"/> | Notice of Hrg | | | x |
| <input type="checkbox"/> | Aff.Mail | | | n/a |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | x |
| <input checked="" type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | | | |
| <input checked="" type="checkbox"/> | Duties/Supp | | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input checked="" type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |
| Reviewed by: LV | | | | |
| Reviewed on: 03/29/2016 | | | | |
| Updates: | | | | |
| Recommendation: | | | | |
| File 25- Torres/ Martinez | | | | |

Petition for Settlement and Final Distribution on Waiver of Accounting, Report of Executor, and Petition for Allowance of Compensation to Executor and Attorneys for Ordinary Services

| | | | |
|--------------------------|----------------------|---|---|
| DOD: 1/1/14 | | CRAIG MACGLASHAN , Son and Executor with Limited IAEA without bond, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 3/28/16:</u> Matter is short-set for Counsel to address item four of the examiner notes. Note: All issues remain noted for reference. <u>SEE PAGE 2</u> |
| | | Accounting is waived. | |
| | | I&A: \$963,766.62 | |
| | | Supp I&A: \$138,900.016 | |
| Cont. from 032816 | | POH: <u>Not stated</u> | |
| | Aff.Sub.Wit. | Declaration filed 3/25/16 states a statement of current property on hand would require a full accounting, which defeats the purpose of a waiver. See <i>Examiner's Note re declaration at #2 on Page 2.</i> | |
| ✓ | Verified | | |
| ✓ | Inventory | | |
| ✓ | PTC | | |
| ✓ | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | w | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| ✓ | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| ✓ | 9202 | | |
| ✓ | Order | x | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| ✓ | FTB Notice | | |

Page 2 - NEEDS/PROBLEMS/COMMENTS:

- ~~1. Order entered 5/25/15 in the conservatorship 10CEPR00285 provided for distribution of all remaining assets in the conservatorship estate to the decedent's estate.~~

~~Schedule E of the final account, Assets on Hand as of 1/1/14, included Morgan Stanley Smith Barney Active Assets Account xx801076 with various securities. One of the securities assets listed within that account was 2,978.046 shares of Allianz OCC Growth A Fund, which had an estimated Fair Market Value on 1/1/14 of \$118,913.38. See last asset listed under Item No. 6 at Page 3 of Schedule E of the Amended Petition filed 2/23/15.~~

~~The Corrected Final I&A filed 2/18/16 in this estate matter appears to list the Morgan Stanley Active Assets Account, but reflects a different account number xx515076, and although it lists all of the other securities shown in the Conservatorship accounting, it excludes the above referenced Allianz asset.~~

~~However, a separate asset is shown, categorized as a Mutual Fund, that indicates 0.331 shares "Allianzgi Focused Growth A", but with the same CUSIP number as the above Allianz asset, and valued at \$13.22. See Item No. 2 on Attachment No. 2 of Corrected Final I&A filed 2/18/16.~~

~~Therefore, need clarification as to this discrepancy:~~

- ~~-Is the asset listed in the estate I&A the same Morgan Stanley account as was identified as property on hand at the decedent's date of death in the Conservatorship Estate?~~
- ~~-Is the asset listed in this estate I&A as "Allianzgi..." the same asset as the "Allianz OCC Growth A Fund" that was part of the Morgan Stanley account in the Conservatorship Estate?~~
- ~~-What happened to the balance of the shares and/or value?~~

Supplemental I&A filed 3/25/16 adds 2.9773715 shares valued at \$118,900.16, for a total of 2978.046 shares and a total value of \$118,913.38, as distributed from the conservatorship estate account.

2. Need statement of Assets On Hand pursuant to Cal. Rule of Court 7.550(b)(4).
Note: At Paragraphs 13 and 29, Petitioner refers to the I&A value of \$963,766.62 as "assets of the estate on hand as of January 1, 2014, (date of decedent's death)," but does not appear to state the current POH anywhere.

Declaration of Robert L. Howk filed 3/25/16 states a statement of current property on hand is part of a full accounting, which has been waived, and it is his contention that this is not required. See declaration at #13 for details.

However, Examiner notes that Cal. Rule of Court 7.550 requires specific information to be provided when accounting is waived. 7.550(b)(4) requires a statement of current assets on hand. How can the Court authorize distribution of specific assets and amounts without a verified statement that they are, in fact, on hand for distribution? Need verified statement that all assets requested to be distributed are, in fact, on hand for distribution. Note: This is for all assets to be distributed, not just the jewelry.

- ~~3. The decedent's will contains specific devises of various jewelry items to various heirs; however, no jewelry was inventoried among the assets of this estate. The Court cannot authorize distribution of items that were not inventoried as assets of the estate. If these jewelry items are assets of the estate, need Supplemental I&A with appraisal by Probate Referee. If not, this distribution request should not be included in the petition or proposed order, and the Court may require amended petition and/or notice to the affected heirs that such distribution will not be ordered by the Court.~~

Supplemental I&A filed 3/25/16 adds the various jewelry items with a total value of \$20,000.00.

Page 3 - NEEDS/PROBLEMS/COMMENTS (Cont'd):

4. Petitioner requests to distribute the jewelry items as noted in #3 above, and then requests to distribute the remaining part of the estate to Craig MacGlashan as trustee of the testamentary trust created under the will. However, the decedent's will provides that the various **personal property assets** (including furs, art, furniture, antiques/silver, etc.) be distributed to Craig MacGlashan outright. **The trust is then created for the balance**, and should not include the personal property assets.

Declaration of Robert L. Howk filed 3/25/16 states there was a typo on Line 33c of the Petition and it should read: Remaining part of the estate to be distributed to Craig MacGlashan outright with no residue to be distributed to Craig MacGlashan as successor trustee of the trust created under the will, following the terms of the trust per Paragraph 6." After distribution of the four specific bequests, the balance of the estate passes to Craig MacGlashan. The value of the estate is valued such that no amount must be transferred into the trust as no transfer is needed to eliminate, or reduce any federal estate tax. Declaration refers to Article Sixth of the Will.

Examiner's Note: This appears incorrect. As stated above, the will provides that the tangible personal property assets (furniture, art, etc.) be distributed outright. However, the marital deduction portion of the trust is just that portion described in Article Sixth. Article Seventh then provides the actual testamentary trust, and then Article Eighth states: "All property received by the Trustee under Paragraph B of Article SIXTH and/or Paragraph B of Article SEVENTH shall be held, managed and distributed by the trustee hereinafter named for the benefit of my son, CRAIG SCOTT MACGLASHAN, as follows....." Article Eighth then provides for distribution upon Craig's death.

Therefore, according to the will, only the tangible personal property should be distributed to Petitioner outright, and the remainder (the cash and investments) should be held in trust.

- ~~5. Need new order pursuant to Local Rules 7.1.1.F, 7.6.1. Order should indicate specific distributions, pursuant to above issues, should state cash in dollar amounts, and should establish and contain the terms of the testamentary trust. Order should be complete in itself, without having to reference the petition, will, or other file documents.~~

A revised order was submitted; however, see #4 above. Need order reflecting the testamentary trust.

Declaration of Robert L. Howk filed 3/25/16 states it is his contention that none of these supplemental items and corrections should affect the distribution of the estate as a waiver of accounting has been filed in this case on behalf of each of the beneficiaries.